

1

Griffin & Sullivan

Kevin M. Sullivan, Esq.

369 Pine Street, Suite 400

San Francisco, California 94104

415-397-2600; 415-397-2655 (facsimile)

Attorney for Plaintiffs

UNITED STATES DISTRICT COURT

NORTH DISTRICT OF CALIFORNIA SAN JOSE DIVISION

In re Maria Elena Mendoza Farsheedi

CASE NO. C-09-03888 JF

Debtor

MATTER ON APPEAL FROM:

Case No. 08-52697 RLE

BAD BOYS BAIL BONDS, INC.

ADV. PROC. 08-5202

Plaintiff

Hon. Roger L. Efremsky

v.

NO HEARING DATE FOR

MARIA ELENA MENDOZA FARSHEEDI

EX PARTE MOTION TO

Defendant

JUDGE FOGEL

HEARING DATE ON MOTION FOR

LEAVE TO FILE APPEAL

Hearing Date: 11/20/2009

Hearing Time: 9:00 a.m.

Judge: Jeremy Fogel, Judge

1           Bad Boys Bail Bonds, Inc., the Plaintiff/Appellant herein, does hereby file an EX PARTE  
2 MOTION FOR LEAVE TO FILE SUPPLEMENT TO REPLY REGARDING MOTION FOR  
3 LEAVE TO APPEAL UNDER 28 U.S.C. 158 (a) with specific reference to the ORDER  
4 DENYING PLAINTIFF'S MOTION TO COMPEL PRODUCTION FROM NON-PARTY T-  
5 MOBILE heard by the United States Bankruptcy Court, Northern District of California, San Jose  
6 Division, as signed on August 3, 2009 by the Honorable Roger L. Efremsky, Judge Presiding,  
7 but not entered and or docketed until August 13, 2009. The matter to the Notice of Appeal and  
8 all associated Motions for Leave regarding said Appeal are docketed, as of August 24, 2009,  
9 before the Honorable Jeremy Fogel, Judge Presiding, United States District Court, Northern  
10 District, San Jose Division, as Case No. C-09-03888 JF.

11  
12           This Ex Parte Motion is based on the need and necessity of providing to the Court, in  
13 advance of the Hearing set for November 20, 2009, before the Honorable Jeremy Fogel, Judge  
14 Presiding, a more thorough and comprehensive review of the legal basis and authority for the  
15 relief sought in the Motion for Leave to File Appeal. Said Ex Parte Motion and Motion is based  
16 upon this Notice along with the Points and Authorities in Support thereof and the Declaration of  
17 Kevin M. Sullivan filed concurrently herewith as well as all of the pleadings, records, and files in  
18 this action and upon such further oral and or documentary evidence as may be presented to this  
19 Court in the event that this Court deems a Hearing necessary on this matter.

20  
21           The names of all of the parties to whom this NOTICE OF EX PARTE MOTION AND  
22 MOTION FOR LEAVE TO FILE SUPPLEMENT TO REPLY REGARDING MOTION FOR  
23 LEAVE TO FILE APPEAL UNDER 28 U.S.C. 158 (a) has been directed and the names,  
24 addresses, and telephone numbers for their respective attorneys are as follows:

25  
- Notice of Ex Parte Motion and Motion for Leave to File Supplement to  
Reply Regarding Motion for Leave to File Appeal Under 28 U.S.C. 158 (a)

3

1. T-Mobile, care of counsel of record Perkins Coie, LLP, Troy P. Sauro, Esq., Four  
Embarcadero Center, Suite 2400, San Francisco, California 94111.  
Telephone Number: 415-344-7000;
2. Maria Elena Mendoza Farsheedi, care of counsel of record Law Offices of David  
A. Boone, 1611 The Alameda, San Jose, California 95126. Telephone  
Number: 408-291-6000.

Dated: October 15, 2009

Griffin & Sullivan

By: \_\_\_\_\_

Kevin M. Sullivan, Esq.

369 Pine Street, Suite 400

San Francisco, California 94104

415-397-2600